

[8 August, 2001]

RAJYA SABHA

**Report sought by NHRC on custodial deaths**

1871. SHRI KRISHNA KUMAR BIRLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the NHRC has sought detailed reports from the Union Government and some State Governments on custodial deaths;

(b) if so, the details thereof;

(c) whether the custodial deaths in some States have increased alarmingly and neither the Union Government nor the concerned State Government have contemplated any serious efforts to check the trend;

(d) if so, the details thereof; and

(e) whether the guidelines/instructions issued by the Union Government on custodial deaths are flouted by State Governments and if so, the further reaction of the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) and (b) The National Human Rights Commission (NHRC) has issued guidelines to all the States/Union Territories to inform the Commission of custodial deaths within 24 hours of its occurrence either in police or judicial custody.

(c) and (d) A statement showing the details of custodial deaths year-wise and State-wise reported by the States/UT Governments to the Commission during the years 1998-99, 1999-2000 and 2000-2001 is annexed. (See below). There has been a downward trend in custodial deaths reported in the year 2000-2001 as compared to the earlier years.

(e) 'Police' and 'Public Order' are State subjects as listed in List II of the Seventh Schedule of the Constitution. However, the Union Government have been issuing guidelines to the State Governments from time to time advising them to ensure that adequate steps are taken to check instances of violation of human rights.

**Statement**

*Year-wise/state-wise details of custodial death reported by the state government to the commission*

STATE	1998-1999 TOTAL		1999-2000 TOTAL		2000-2001 TOTAL				
	JC	PC	JC	PC	JC	PC			
1	2	3	4	5	6	7	8	9	10
ANDHRA PRADESH	96	25	121	73	11	84	76	2	78
ARUNACHAL PRADESH	1	2	3	0	4	4	1	1	2
ASSAM	22	15	37	22	11	33	11	11	22
BIHAR	182	10	192	155	7	162	137	2	139
GOA	1	0	1	2	2	4	3	2	5
GUJARAT	37	8	45	19	13	32	27	11	38
HARYANA	18	4	22	24	5	29	20	4	24
HIMACHAL PRADESH	0	2	2	0	1	1	2	1	3
JAMMU & KASHMIR	0	0	0	0	0	0	1	0	1
KARNATAKA	40	10	50	35	6	41	41	5	46
KERALA	25	4	29	14	6	20	26	1	27
MADHYA PRADESH	99	19	118	58	13	71	37	11	48
MAHARASHTRA	98	20	118	126	30	156	104	19	123
MANIPUR	0	3	3	1	0	1	0	0	0
MEGHALAYA	6	1	7	2	0	2	0	1	1
MIZORAM	0	0	0	0	0	0	0	1	1

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1	2	3	4	5	6	7	8	9	10
NAGALAND	0	1	1	0	0	0	0	0	0
ORISSA	68	0	68	45	1	46	55	2	57
PUNJAB	43	12	55	42	11	53	48	13	61
RAJASTHAN	47	3	50	45	3	48	38	3	41
SIKKIM	0	0	0	0	0	0	0	0	0
TAMIL NADU	41	14	55	48	9	57	24	4	28
TRIPURA	0	0	0	0	0	0	0	2	2
UTTAR PRADESH	222	20	242	141	18	159	121	10	131
WEST BENGAL	40	6	46	43	19	62	38	9	47
A&N ISLANDS	2	0	2	2	1	3	2	0	2
CHANDIGARH	0	0	0	0	0	0	2	1	3
D & N HAWELI	0	0	0	0	0	0	0	0	0
DAMAN & DIU	1	0	1	0	0	0	0	0	0
DELHI	17	0	17	19	6	25	28	9	37
LAKSHDWEEP	0	0	0	0	0	0	0	0	0
PONDICHERRY	0	1	1	0	0	0	0	0	0
CHHATISGARH	0	0	0	0	0	0	29	1	30
JHARKHAND	0	0	0	0	0	0	33	1	34
UTTARANCHAL	0	0	0	0	0	0	6	0	6
TOTAL CASES	1106	180	1286	916	177	1093	910	127	1037

JC-JUDICIAL CUSTODY  
PC-POLICE CUSTODY